



Atty Dkt No. 8325-0033

Client No. S33

## DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: MULTIPLEX SCREENING ASSAYS the specification of which

\_\_\_\_\_ is attached hereto

X was filed on September 18, 2003

and assigned Serial No. 10/666,923 and amended on .

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge and understand that I am an individual who has a duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §§ 1.56(a) and (b) which state:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud

on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office,

or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than six months prior to this application.

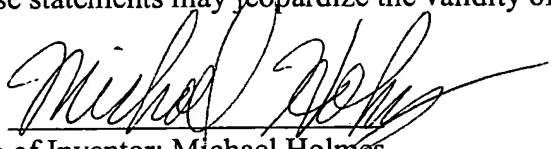
I hereby claim priority benefits under Title 35, United States Code § 119(e)(1) of any United States provisional application(s) for patent as indicated below and have also identified below any application for patent on this invention having a filing date before that of the application for patent on which priority is claimed:

<u>Application No.</u>	<u>Date of Filing</u> <u>(day/month/year)</u>	<u>Priority</u> <u>Claimed</u>
60/412,345	September 20, 2002	Yes <u>X</u> No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) and (b) set forth above which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.:  
Filing Date:  
Status (patented, pending, abandoned):

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: 


Date 10-16-03

Full Name of Inventor: Michael Holmes

Citizenship: United States

Residence: 3934 Glen Park Road, Oakland, California 94602

Post Office Address: As Above

Signature: 

Date 10-6-03

Full Name of Inventor: Christin Tse

Citizenship: United States

Residence: 4239 Arroyo Avenue, Davis, California 95616

Post Office Address: As Above



Atty Dkt 8325-0033  
Client No. S33  
PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on July 14, 2004.

7/14/04  
Date

Michelle Hobson  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Holmes et al.

Serial No.: 10/666,923

Group Art Unit: Not Assigned

Filing Date: September 18, 2003

Examiner: Not Assigned

Title: MULTIPLEX SCREENING ASSAYS

**CERTIFICATE UNDER 37 CFR 3.73(b)**

SANGAMO BIOSCIENCES, INC., a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above. A copy of the assignment is attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 10-16-03

Peter Bluford  
SANGAMO BIOSCIENCES, INC.  
Name: Peter Bluford  
Title: VP, Corp. Development

COPY

Atty Dkt No. 8325-0033  
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## ASSIGNMENT

JOINT

THIS ASSIGNMENT, by Michael Holmes and Christin Tse (hereinafter referred to as the assignors), residing at Oakland, California and Davis, California respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in MULTIPLEX SCREENING ASSAYS set forth in an application for Letters Patent of the United States, bearing Serial No. 10/666,923 and filed on September 18, 2003; and

WHEREAS, Sangamo BioSciences, Inc. a corporation duly organized under and pursuant to the laws of Delaware, and having its principal place of business at Point Richmond Tech Center, 501 Canal Blvd., Suite A100, Richmond, California 94804 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Union for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

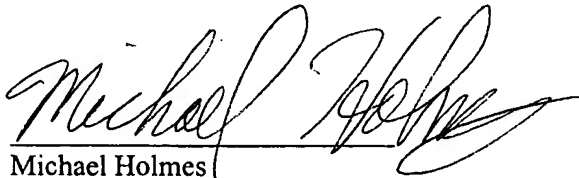
AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and the application for Letters Patent above-mentioned, and that the same are

unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

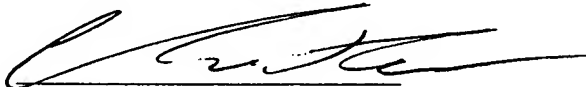
AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that the said assignors will, whenever counsel of the said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of the said assignee, its successors, legal representatives and assigns.

AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date 10-16-03 Name of Inventor

  
Michael Holmes

Date 10-6-03 Name of Inventor

  
Christin Tse



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Michelle Hobson  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Holmes et al.

Confirmation No.: Not Assigned

Serial No.: 10/666,923

Group Art Unit:

Filing Date: September 18, 2003

Examiner: Not Assigned

Title: MULTIPLEX SCREENING ASSAYS

**POWER OF ATTORNEY BY ASSIGNEE**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

SANGAMO BIOSCIENCES, INC., assignee of the above-identified application by assignment (copy attached), hereby appoints Sean Brennan, Ph.D., Reg. No. 39,917; Roberta L. Robins, Reg. No. 33,208 and Dahna S. Pasternak, Reg. No. 41,411 as its attorneys/agents with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

Atty Dkt No. 8325-0033

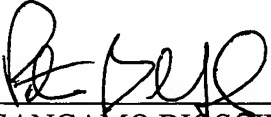
USSN: 10/666,923

PATENT

Please address all further communications to Dahna S. Pasternak at the following address:

Customer No. 20855  
ROBINS & PASTERNAK LLP  
1731 Embarcadero Road, Suite 230  
Palo Alto, CA 94303  
Telephone: (650) 493-3400  
Fax: (650) 493-3440.

Date: 10-16-03

  
SANGAMO BIOSCIENCES, INC.  
Name: Peter Bluford  
Title: VP, Corp. Development